

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE: '318 PATENT INFRINGEMENT)
LITIGATION) C.A. No. 05-356-SLR
) (consolidated)

NOTICE OF APPEAL

Please take notice that Janssen Pharmaceutica N.V., Janssen L.P., and Synaptech, Inc. ("Plaintiffs") hereby appeal to the United States Court of Appeals for the Federal Circuit from the final judgment entered in this action on August 28, 2008 (D.I. 417), and from all other opinions, orders, decisions, and rulings prior to the entry of judgment, including but not limited to: (i) the Court's August 27, 2008 Opinion (D.I. 415) upon which the entry of judgment was based; (ii) the Court's August 27, 2008 Order (D.I. 416) denying Plaintiffs' motion for a temporary restraining order; and (iii) all rulings made during trial in May 2007.

ASHBY & GEDDES

/s/ Steven J. Balick

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